

Pontesbury Parish Council

Planning Pre-application discussions protocol

Introduction

In the advent of Localism and the Big Society developers are encouraged to enter into pre-application discussions with the planning authority, relevant stakeholders and the community prior to the submission of a formal planning application.

This protocol sets out how the Parish Council shall consider planning pre-application discussions not only to respect the interest of the developer but also to preserve and enhance the interests of its residents. It details how the Parish Council's views shall be communicated to the planning authority (Shropshire Council), stakeholders, developers and the community.

Benefits of Pre-applications

The benefits of this process are:

- It allows all the relevant policies, guidance, local circumstances, site and area characteristics to be taken into account;
- It identifies any specialist advice required e.g. conservation, listed buildings, transport, trees, archaeology, ecology, contamination etc.
- It helps to increase the understanding about the decision making process, the role of the Planning Authority and its statutory consultees;
- It can help identify problems at an early stage, thus saving time and expense of making a formal application that is unlikely to succeed;
- Possible objections/concerns can be raised and addressed before the application is submitted, thus potentially removing public objections to the scheme;
- The characteristics of the proposal (in terms of sitting, design, materials, environmental controls etc) can be amended to provide a development that could be more in keeping with its surroundings;
- It can give increased certainty as to how an application is likely to be considered by the Planning Authority and the community at large;
- It allows stakeholders who may ultimately be charged with the developer's ongoing maintenance and opportunity to be involved and provide guidance at an early stage on practical post-construction issues;
- It could speed up negotiations on community infrastructure requirements, thereby reducing the time between approval and commencement of the development.

Parish Council's Involvement in pre-applications

As a statutory consultee in the planning process it is essential for Pontesbury Parish Council to be involved in the pre-application process for the following reasons:

- It has a good understanding of its area and the community and its infrastructure.
- It is keen to ensure growth within the Parish is of the right type in the right location.
- It provides an advocacy role for its residents, effectively representing their views when they feel they are unable to.
- The Parish Council is likely to be a party to future Community Infrastructure Levy and s106 negotiations on community assets required for the Parish.

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- Ultimately any of the public open space, recreational amenity space and play facilities associated with the new development may well be adopted and managed by the Parish Council and as such it would wish to have an input in the development of such facilities.

Types of pre-application discussions.

The Parish Council will deal with the various types of pre-application discussions in the following way:

- The developer has entered into a formal pre-application process with the Planning Authority (Shropshire Council) and paid a fee for the service. The Parish Council will deal with such plans in the same way as a planning application at a Planning Committee meeting.
- The developer contacts the Parish Council directly to obtain the view of the Parish Council as a corporate body. This will be done by way of a presentation to the Planning Committee (who have delegated powers to consider planning applications; this power extends to pre-applications) or to the whole Parish Council at a normal parish council meeting if the proposed development is significant and/or if there are likely to be significant public objections
- If the development is for affordable housing on an exceptions site, any documentation provided should include a Local planning authority approved housing needs survey and an indication that the developer is approved by said authority to provide such housing.

Confidentiality

The Parish Council understands there may be sometimes a need for developers to seek confidential discussions with the Parish Council. The Parish Council is mindful of its duties under the Freedom of Information Act 2000 and the need to ensure that as much information is available to the public as possible.

As a general rule all pre-applications will be considered by the Parish Council in the public domain however there the following occasions will be the exception:

- The Local Planning Authority (Shropshire Council) having processed the pre-application is satisfied that the application meets the provisions of the Public Interest Test and should remain confidential, with that decision made known to the Parish Council. The Parish Council will be guided by the LPA.
- The developer has provided a compelling argument that the application is commercially sensitive and disclosure of information would either prejudice or adversely affect future contract negotiations/transaction.

No other reasons will be considered to exclude members of the public and press thus rendering the documents relating to the application confidential.

N.B. At the beginning of a pre-application discussion, it will be stated by the Chairman of the Planning Committee, on behalf the parish council, that the discussions that take place at pre-application stage, will not pre-determine any future decision of the parish council, at the application stage of the proposed development.

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